

SCHIFF NERVOUS IN TRIAL BY BOLTE

Young Lawyer Who Testified
Against the Justice Forgets
Whether He Took Exceptions
to Rulings Against Him.

A TILT WITH BLUMENTHAL.

Assistant Cosby Tells of Judgment
Rendered Against the City, of
Which He Learned a Month After
They Were Made.

Hearing on the charges against Justice Hermann Bolte, of the Municipal Court, looking toward his removal, which are brought by District Attorney Jerome, acting as a citizen, was continued to-day before Referee W. H. Willis. Lawyer Benjamin B. Schiff was cross-examined by Maurice Blumenthal, counsel for Justice Bolte.

"Did you ask that certain evidence be stricken from the record in the case of Cigarette Company vs. Comiskey?" asked Mr. Blumenthal.

"I did, and the motion was denied."

"Did you ask for adjournment so that you could prepare your rebuttal of what you considered worthy testimony?"

"I asked for adjournment so that I could have time to go over the evidence, and this motion was also denied."

"Were you too excited to carry on the case at that point?"

"It was my first appearance in court and I was a little excited, being alone in the case."

"Was stenographer Spellman acting in an spirit of enmity or friendship in suggesting that you had not made an exception during the entire trial, Mr. Schiff?"

"It was in response to a question of mine, to settle a doubt in my mind whether I had taken exception to the overrulings."

Lawyer Blumenthal undertook to undermine Schiff's knowledge of New York State law and went into a number of technicalities bearing upon the hearing of Schiff's case.

After attempting to show bias upon the part of Lawyer Schiff, Mr. Blumenthal picked out of the court record a statement by Schiff in which he admitted that he wished only Bolte to try the case.

Witness admitted this, stating "I had reasons for making this assertion."

Mr. Schiff admitted that he had been in Justice Bolte's private room where the second case on appeal was settled.

In a tilt between Blumenthal and Schiff the latter declared that he did not wish to know anything about disposition of cases in the private room of Justice Bolte, while Mr. Blumenthal retorted that he needed to learn a great deal about the law business.

Assistant Corporation Counsel Arthur C. Cosby testified that he had cases before Bolte against Alfred Seaton, E. Adair Conkling, Edward Lorillard and George C. Boldt for violation of corporation ordinances. Having heard nothing from the court he went in January, 1903, to look up the court record and found to his surprise that judgment for the defendants had been rendered early in the preceding December.

LIGHTNING KILLS FIVE IN A STORM.

Several Other Persons Badly Injured
In Michigan—Orchards Levelled
and Crops Destroyed.

ALPENA, Mich., July 29.—A terrific hail and rain storm, accompanied by lightning, passed over Alpena County last night. Orchards were levelled and crops in the fields destroyed.

James Fingleton's house, in Wilson township, was struck by lightning and Fingleton instantly killed, while his wife and daughter were badly burned. Walter Pillsbury's farmhouse at Greeley was also struck and burned. His son was badly injured by the lightning. At Hartsville, a village in Alcona County, on the lake shore, lightning killed James De Forrest and his wife in their home. Their bodies were found by a millman to-day. Dell Crothers, a farmer near Onaway, in Presque Isle County, was killed yesterday afternoon by a lightning bolt. In Long Rapids, Andrew Hansen, fourteen years old, and his cousin, a young girl, were both killed, and Hansen's uncle was seriously injured, while they were sitting in their parlor watching the storm.

GIRL LOCKED IN ROOM FLED BY FIRE ESCAPE

Mary Lumbach's Mother, Who Ob-
jected to Young Man's Attention
to Daughter, Appeals to Police.

The police have been asked to look for Mary Lumbach, sixteen years old, who, after being locked in her room by her mother at No. 261 East Tenth street, got away by going down the fire-escape. The mother reported the disappearance to the police, giving a description of the girl and saying she had been locked up to prevent her meeting a young man to whose attentions the mother objected.

The girl is a blonde and looks older than her age. When her mother saw her last she wore a white waist, dark skirt, black stockings and shoes and white straw hat.

DIVORCE FOR MRS. M. CLAPP.

Unrestrained Custody of the Chil-
dren and \$3,000 a Year.

Justice Bischoff to-day granted Mrs. Mary A. Clapp an interlocutory decree of divorce from Herbert Mason Clapp on the statutory grounds. The application was based on the report of Referee Edward G. Whitaker. All the papers except the decree were sealed by order of the court.

Mrs. Clapp is awarded the unrestrained custody of the three children of her marriage, Eunice, Herbert Mason and Dorothea Clapp, and her husband is directed to pay her \$3,000 a year for their support and education. No provision is made in the decree for any alimony for Mrs. Clapp.

MANY KILLED AND INJURED IN DYNAMITE EXPLOSION.

(Continued from First Page.)

bed. The force of the explosion, he states, threw him across his bedroom, but he was not injured. Immediately the house caught fire, but he and his family escaped in safety. The Le Blancs, however, lost \$500 in money which they were obliged to leave behind.

The wreck caused by the explosion covers an extent of three acres and the region resembles a battle field. Houses, barns and outbuildings lie in ruins, some half demolished, others hardly more than a heap of broken timbers, still others smoking from recent fire.

The explosion occurred at 9.06 A. M., and is thought to have been caused by the jarring of dynamite stored in the magazine, by workmen who were laying a new floor. The dynamite set off the powder stored in one chamber, and that explosion was followed by another in a second chamber.

Persons buried beneath the wreckage of their homes were dug out, some unhurt and others badly injured. Two churches were destroyed, the church of the Sacred Heart in Moore street, and the Wigginsville Mission chapel. The Wigginsville school-house, in the course of erection, was also demolished.

Through Lawrence, Church, Central, Gorham and Merrimack streets the houses were wrecks. Those that had not collapsed had had their doors and windows wrenched off.

EXPLOSION LIFTED TRAIN FROM THE RAILS.

BOSTON, July 29.—Persons coming on the 9.57 train from Lowell were eyewitnesses of the explosion at the United States Cartridge Company's plant at Lowell.

The accident happened just as the train was passing the works, the tracks of the Boston and Maine Railroad being about a third of a mile away.

To those in the train there seemed to be two distinct explosions and the air in the direction of the cartridge company's works was filled with a white

smoke like that from burning powder, and debris was seen flying in all directions. The speed of the train permitted only a momentary glimpse.

Director A. W. Sullivan, of the Boston and Maine Railroad, was a passenger on the train. He says that for an instant the massive brick walls of the magazine bulged outward and then crumbled into a great cloud of dust. The concussion was so great that it seemed to lift the wheels from the rails, and passengers feared that the cars would turn over. The train, however, sustained no injury from the shock.

SHRAPNEL SHELLS IN FIFTH AVE. HOTEL

Two Empty Ones, Found in Store
Room, Left in Room by a Guest
Long Ago.

It came to the knowledge of the management of the Fifth Avenue Hotel to-day that a box which has been in the store room since Jan. 30 contained two shrapnel shells.

A policeman was called in a hurry. He took the box to the station-house and thence to the Bureau of Combustibles at Five Headquarters.

James L. Wilson and his wife stopped at the hotel in January. It is thought that Mr. Wilson is an agent for an ammunition house and carries with his baggage cheerful packages of gunpowder, lyddite, dynamite and the like. At any rate, when he left on Jan. 30 he forgot the box.

Six months having expired since the box was left at the hotel it was opened to-day in an effort to find out what it contained. The effort was successful. The shells were not loaded.

GROUT PROMOTES A TAMMANY MAN.

Appoints Edward A. Slattery a Bu-
reau Chief in Place of the
Late Col. McFadden.

Comptroller Grout to-day appointed Edward A. Slattery Chief of the Bureau for the Collection of Assessments and Arrears in place of Col. William E. McFadden, who died suddenly about two months ago from an attack of heart disease in his office in the Stewart Building.

Comptroller Grout in announcing the appointment said that Mr. Slattery, who is a Tammany Hall man, had earned his promotion because of the efficiency and ability displayed while acting as Deputy Collector under Col. McFadden.

The Comptroller added that police cut no figure in the matter, and as evidence of that he said he had appointed J. B. A. Mullaney, an assistant deputy in the Bureau, as deputy in place of Mr. Slattery. Mr. Grout added that Mullaney is a member of the Greater New York Democracy and was formerly an Assistant Corporation Counsel.

CONVICTS IN FORT MAKE LAST STAND

Escaped Folsom Prisoners In-
trench Themselves on Hill
Near Auburn, Cal., and Militia
Is Ready to Attack Them.

GATLING GUNS IN POSITION.

Three Sheriffs' Poses, Composed of
Skilled Mountaineers, Reinforce
the Troops to Take Part in the
Battle of Extermination.

AUBURN, Cal., July 29.—Hemmed in by a company of militia and three sheriffs' poses composed of skilled mountaineers, the eleven fugitive convicts who escaped from Folsom Prison are intrenching themselves in the rough mountain country to the north of Lake Tahoe and will fight until exterminated. The pursuers were only an hour behind the fugitives during the night, and this morning surrounded them on Granite Hill. The convicts are secreted in the brush and have thrown up intrenchments. An attack was delayed until the Placerville military company can bring up its Gatling guns.

The battle will be decisive, as the convicts have sworn that they will not be taken alive and the pursuers are equally determined that none of them shall escape. Rewards offered by Gov. Pardee and the State Prison Board put a price of \$150 on the head of each fugitive.

Escape Was Narrow.

The guards and citizens taken as hostages by the escaping convicts have returned to Folsom and tell remarkable stories of their experience. They had a narrow escape, as the convicts deliberated for a long while whether to kill them or set them free.

Guard John Klenzendorf escaped from the convicts during the battle between the convicts and their pursuers at Pilot Hill. He said: "Our first experience was at Mormon Island, where Guard John Ryan exchanged shots with the convicts. He hit 'Red Shirt' Gordon. I saw Gordon drop his gun, then pick it up and crawl into the brush. He was a forty-five-year man and had been the leader up to the time he left the party."

"We went up the river to the ranch house of John Foster, who was compelled to feed the crowd. His big farm wagon, drawn by four horses, was taken and the entire party piled into it. The ranch hands were compelled to go along as guides. At this time we numbered twelve convicts, five guards, two citizens and the two ranch hands."

"The team was driven at full speed toward Pilot Hill. All the way the convicts took delight in abusing the guards. They made us get down and run bareheaded in the broiling sun after the wagon. We were told that when they were ready to get rid of us they would make targets of us or force us to jump into the river."

Stop at Hotel.

"At Pilot Hill the hotel was surrounded and the proprietor forced to feed the crowd. At that time the pursuers were almost upon us. We had eaten and started on our way when a volley of rifle shots came from both sides of the roadway. At the first crack I rolled out of the wagon and one of the farm hands followed. Convict Roberts pointed his rifle at me and told me to halt or he would blow my head off, but I saw a shell was jammed in the breach of the rifle and I sprang down the road with the ranchman after me. He dodged into the shelter of the hotel, but I kept on, and the bullets kicked up the dust of the road on both sides of me until I got out of range."

"When I went back to the hotel I found that I had been mistaken for a convict. I was wearing a striped suit, as we had been forced to exchange clothes with our captors at the ranch."

"In the wagon convict Murphy lay dead with a bullet through his head and another threw his head. The four horses had been killed and the bullet holes in their legs showed that the pursuers were good marksmen. The posse had surrounded the hotel while we were eating, but did not attack until we got away from shelter. The way the convicts escaped us was by snaking Overseer J. B. McDonough stand up in the wagon and wave a white flag. The firing ceased, then the convicts, covered by the hostages, walked up the road until they saw a chance to dash off into the brush and escape."

OLD MAIL-CARRIER ACCUSED OF THEFT.

Dean, Ten Years in Service, Accused
of Taking Five Marked \$1 Bills
from Decoy Letters.

Herbert C. Dean, a mail-carrier, ten years in the service, was arrested this afternoon by Post-Office Inspectors Jacobs and Meyers for robbing the mails.

Dean has been under suspicion for some time, and to-day decoy letters containing five marked \$1 bills were sent through the mails. After he had delivered his route he was seen to go into a cigar store, where he exchanged the \$1 bills that had been marked for a \$5 bill. He was arrested and the money taken for evidence.

Dean was locked up in the East One Hundred and Twenty-sixth street police station. He is married and lives at No. 11 East One Hundred and Thirty-first street.

COLUMBIA'S SPARS ARE TAKEN DOWN.

The Old Cup Defender Is All Ready
to Be Brought to
City Island.

NEWPORT, R. I., July 29.—The former cup defender Columbia has been dismantled and is moored in Brenton Cove, ready to be towed to City Island.

Her topmast has been sent down and with other spars and sails has been placed aboard her tender, and all is ready to go to the westward when the weather favors, there being a heavy blow on to-day. A portion of the crew have already been discharged.

The Reliance and Constitution remained at their moorings back of the torpedo station.

BOY DROWNED FROM BOAT.

Craft Upset, but Two of His Com-
panions Were Rescued.

HACKENSACK, N. J., July 29.—A boat containing three boys upset in the middle of Hackensack River at Little Ferry this afternoon. Only two were rescued, George Michaels, twelve years old, was drowned.

We Give "S. & H." Green Trading Stamps.

THE BIG STORE ACITY IN ITSELF
SIEGEL COOPER & CO.
SIXTH AVE. 187 619 STS.

An Intensely Interesting Sale of

1,000 Women's Summer Dresses
At \$1.75, \$2.50 and \$3.25 Each!



Charmingly stylish Beautifully Summery. Airy, light and dainty.

It's been many a year since frocks so pretty were offered at prices so amazingly low. At the beginning of the season these dainty Dresses would have readily retailed at \$5.00 to \$11.75; but the maker held on to his surplus stocks until suddenly brought sharply to a realization of the fact that Summer is waning and that the thoughts of manufacturers are already turned Autumn-ward. Thus we were enabled to obtain

150 Styles in a Bewildering Variety of Modish Fabrics and Jaunty Materials at Vastly Less Than the Usual Prices.

Every dress is strictly up to the hour. The materials are Dimity, Lawn, Batiste, Linen and Madras. The trimmings are exceptionally attractive. The illustration gives you a fair idea of what these Dresses are like. Note the 6th Avenue window display.

A Stock-Adjusting Sale of
Men's Negligee Shirts
At a Most Astonishing Low Price.

Sizes 14 to 17. Splendid values for the money. Emphatically the best Negligee Shirt bargains of the year. Earlier in the season virtually every Shirt in the assortment would have readily brought double. Many were made to be sold as high as \$1.25.

Now They're Scheduled to Sell at a Price That Is Absurdly Small.

And Negligee Shirts are proper all the year round. Attached or detached collars and cuffs. Hundreds of choice patterns—those that are most wanted. Neckband only with detached cuffs, if you prefer the Shirts that way.

Price of every Shirt in the lot is reduced to.....

39c

(Main Floor, East of Fountain.)

Good Trunks Underpriced.

BASSWOOD TRUNKS, canvas covered, oil painted, bound with hard fibre, have two fibre centre bands protected with hardwood slats, braced malleable iron clamps, corner, end and side bolts, stitched leather handles, iron bottom, linen lined, two trays, one with hat-box and packing compartment, other for dress skirts, &c.

32-inch. 34-inch. 36-inch. 38-inch. 40-inch.
Regularly, 6.20 6.70 7.20 7.70 8.20
Special, 5.65 6.00 6.40 6.80 7.20

(Third Floor, East.)

50,000 Lucke's Rolled Cigars.

We offer for to-morrow only the above quantity of the popular LUCKE'S ROLLED CIGARS, at less than factory cost. Box of 50, made to sell at \$1.25.

Mail orders solicited.

(Main Floor, East, 183 St.)

Lace Parasol Covers

For Baby Carriages and So-Carts.

A special lot of lace Parasol Covers, which comprises an assortment of all the newest effects; some with two, three and four ruffles; regularly sold at from \$3.00 to \$4.00; to-morrow,

2.25

(Third Floor, East.)

Used Pianos at Phenomenally Low Prices.

Also Organs.

A Very Attractive 3d Floor Sale Begins To-Morrow.

A WONDERFULLY interesting occasion. We will show you some astounding bargains in Pianos and Organs which, although slightly used, have been so thoroughly renovated as to be practically good as new. The Display is in the Third Floor Main Aisle.

Not a few Pianos at little prices, but many of them. A really extraordinary assortment. Pianos whose reputations have become universal. Pianos you are not ashamed to own. Just what's needed for the Summer home, or the youngster or beginners when the vacation's over and the return to town means other and newer diversions. At the prices we name any one can afford to own a good piano.

Every instrument offered in this sale is in perfect order, having been thoroughly repaired and renovated. Used parts have been supplied with new ones. Any instrument purchased in this sale will be taken in exchange for a new one at any time within a year and the price you paid allowed. Any of these instruments upon the easy payment plan. A little sum down and a small amount monthly. Early selections are strongly advised, as the demand will be exceptionally active. This list fully warrants that.

Summer Carnival of Nations.

Many New Attractions This Week.
Japan and China play important parts in the big Summer Festival at The Siegel Cooper Store this week, the decorations being peculiarly appropriate and eye-pleasing.

Sherman's Flytifying Creation, "Phantasma," is drawing great crowds to the Fifth Floor Auditorium. Performances at 11 A. M. and 1.30, 2.30, 3.30 and 4.30 P. M. Startling Tableaux. Vivid Stereoscopic Pictures. Popular Songs. No charge for admission. About 1,000 can be seated at every performance.

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(Second Floor, Front.)

General Clearance Sale of Women's Dressing Sacques, Kimonos and Wrappers.

LOT 1—WOMEN'S WHITE LAWN SACQUES AND KIMONOS; several very pretty styles to select from, ranging in price up to \$1.25; reduced to

49c

LOT 2—WOMEN'S DRESSING SACQUES AND KIMONOS; white lawn and pretty polka dot effects; some have border trimming with ribbon finish; others lace and embroidery trimmed; ranging in price up to \$2.25; reduced to

69c

1,000 Women's Wrappers.

LOT 1—WOMEN'S WRAPPERS, percale and lawn, in very attractive patterns; skirt cut extra full with deep flounce, and waist trimmed with fancy washable braid and bretelles; regular price, 98c.; reduced to

49c

LOT 2—WOMEN'S WRAPPERS; percale; fine quality, in very pretty patterns; excellent styles; regular price \$1.25; reduced to

69c

(Second Floor, East of Centre.)

Grape-Nuts

CLIMBED TO TOP

GRAPE-NUTS FOOD GAVE THE STRENGTH.

IT is a good thing to know of food that will add volumes to one's strength, for the strong can do things and accomplish work in this world while the weak must stand to one side.

A woman in Toronto writes: "I was in very poor health a long time and got so weak and run down that I would often stop at the foot of the stairs and wonder how I could get to the top."

"I began using Grape-Nuts and in a very short time that weak, broken-down feeling entirely disappeared. I had formerly been forced to give up my breakfasts in order to give my stomach a rest, but when I got hold of Grape-Nuts I could eat breakfast, for the food seemed to help digest other foods, and soon I began to gain in weight and strength."

"I regularly use fruit and Grape-Nuts for breakfast and can work harder and for a longer time than ever before." Name given by Postum Co., Battle Creek, Mich.



SQUARE PIANOS.		SQUARE PIANOS.		UPRIGHT PIANOS.		UPRIGHT PIANOS.		ORGANS.	
WAS.	NOW.	WAS.	NOW.	WAS.	NOW.	WAS.	NOW.	WAS.	NOW.
CABLE.	\$250	\$150	GABLER.	\$250	\$150	IVERS & POND.	\$250	STORY & CLARK.	\$150
ALEXANDER & VOPEL.	\$250	\$150	WORCESTER.	\$250	\$150	WEBER.	\$250	HORNBAKER.	\$150
STEINWAY.	\$250	\$150	WHELOCK.	\$250	\$150	JOHNSON.	\$250	ESTES.	\$150
HINDS.	\$250	\$150	JOHNSON.	\$250	\$150	ANDERSON.	\$250	ESTES.	\$150
R. W. NUN.	\$250	\$150	EVERETT.	\$250	\$150	SCHUMANN.	\$250	SHONINGER.	\$150
GOLDSMITH.	\$250	\$150	STREIBING.	\$250	\$150	GRAND PIANOS.		HORACE WATERS.	\$150
CHICKERING.	\$250	\$150	STEINWAY.	\$250	\$150	STEINWAY Parlor Grand.	\$1000		
LYNCH.	\$250	\$150	A. B. CHASE.	\$250	\$150	STEINWAY Baby Grand.	\$500		
NEWTON.	\$250	\$150	GORDON.	\$250	\$150				
HALL & DAVIS.	\$250	\$150	FEASE.	\$250	\$150				
FISCHER.	\$250	\$150							